

JUDGE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	NO. CR05-5495FDB
)	
Plaintiff,)	
)	ORDER GRANTING UNOPPOSED
vs.)	MOTION TO CONTINUE TRIAL
)	DATE
JULIO C. ORELLANA,)	
)	
Defendant.)	
_____)	

Based on the unopposed motion of the defendant to continue the trial date, and the reasons set forth in the affidavit of defense counsel in support of the motion, the Court makes the following findings of fact and conclusions of law:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(i).

3. The defense needs additional time to explore issues of some complexity, including all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(8)(B)(ii).

1 4. Taking into account the exercise of due diligence, a continuance is necessary
2 to allow the defendant the reasonable time for effective preparation his defense. 18
3 U.S.C. § 3161(h)(8)(B)(iv).


4 NOW, THEREFORE,

5 IT IS HEREBY ORDERED that the trial date is continued from September 19,
6 2005 to **NOVEMBER 28, 2005, at 9:30 am.** The resulting period of delay from
7 September 19, 2005, to November 28, 2005, is hereby excluded for speedy trial purposes
8 under 18 U.S.C. § 3161(h)(8)(A) and (B).

9 Pre-trial motions shall be due on **October 17, 2005.**

10 Pre-trial conference shall be on **November 22, 2005, at 9:00 am.**

11 IT IS SO ORDERED this 9th day of September, 2005.

12 
13 RONALD B. LEIGHTON
14 UNITED STATES DISTRICT JUDGE
Digitally Signed upon oral authorization (JAB)

15 Presented By:

16
17 /s/ Russell V. Leonard
18 Russell V. Leonard
19 Attorney for Defendant
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